

Division of Alcoholic Beverages and Tobacco

2018-2019 Annual Regulatory Plan

Section 1

Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.

Law	Mandatory rulemaking? Yes/No	Is rulemaking necessary? Yes/No	Notice of Development Published? Yes/No If Yes, Citation	Expected publication date for NPRM	If rulemaking is not necessary? Explain
Chapter 2018-169, L.O.F.	NO	NO			Repeals Chapter 67-1990, Laws of Florida, which imposed more restrictive criteria for SFS licenses within St. Lucie County. The SFS licensing criteria are now consistent with General Law criteria, as stated in Section 561.20(2)(a)4, Florida Statutes. Rulemaking by Division is not necessary to implement.
Chapter 2018-187, L.O.F.	NO	NO			This bill creates a special zone in Orlando to be known as the "Downtown Restaurant Area." Restaurants in the special zone will need less square footage and be able to seat fewer persons at one time than required by General Law in order to obtain a special alcoholic beverage license. Rulemaking by Division is not necessary to implement.
561.57(1), F.S.	NO	NO			This bill adds the term "electronic" to the forms of product orders that shall be construed as sales actually made at the licensed premises when such an order is received at the vendor's licensed place of business. This bill authorizes the delivery of alcoholic beverages from vendors by a third party the licensee has contracted with to make deliveries, including, but not limited to, common carriers. Rulemaking by Division is not necessary to implement.
561.42(14)(a), F.S.	NO	NO			This bill creates an exception to the current Tied House Evil prohibitions in Section 561.42, F.S., allowing distributors to give branded single-serving glassware to vendors licensed for the sale of malt beverages for on-premises consumption, up to 10 cases of glassware per calendar year per licensed premises. Rulemaking by the Division is not necessary to implement.

Division of Alcoholic Beverages and Tobacco

565.02, F.S.	NO	NO						<p>This bill exempts operators of intrastate railroads or sleeping cars from the statutory size restrictions pertaining to liquor on passenger trains, which in current law require that liquor purchased or offered for sale on the train be in miniature bottles of not more than two ounces. The exception created by the bill is consistent with the exception granted for alcoholic beverages sold within the licensed premises of a railroad transit station under current law. Rulemaking by the Division is not necessary to implement.</p>
--------------	----	----	--	--	--	--	--	---

Section 2

Laws not listed above that the agency expects to implement by rulemaking by the following July 1.

Law	Is rulemaking intended to:	Simplify	Clarify	Increase efficiency	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or redundant rules
561.19, F.S. - Quota			X				X
565.04 and 565.045, F.S. - Party Type			X				
565.045, F.S. - Items Customarily Sold in a Restaurant			X				

[Space Intentionally Left Blank; See Following Page]

Division of Alcoholic Beverages and Tobacco

Section 3

Updates to 2017-2018 Annual Regulatory Plan

2017-2018 Laws Enacted or Amended within the previous 12 months - NPRM Has Not Been Published

Law	Notice of Rule Development Citation	(If agency determined that rulemaking is unnecessary) Explanation of reason why the law may be implemented without rulemaking
N/A		

Other updates to 2017-2018 Annual Regulatory Plan
N/A

Asbestos Licensing Unit

2018-2019 Annual Regulatory Plan

Section 1

Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.

Law	Mandatory rulemaking? Yes/No	Is rulemaking necessary? Yes/No	Notice of Development Published? Yes/No If Yes, Citation	Expected publication date for NPRM	If rulemaking is not necessary? Explain
N/A					

Section 2

Laws not listed above that the agency expects to implement by rulemaking by the following July 1.

Law	Is rulemaking intended to:	Simplify	Clarify	Increase efficiency	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or redundant rules
N/A							

Section 3

Updates to 2017-2018 Annual Regulatory Plan

2017-2018 Laws Enacted or Amended within the previous 12 months - NPRM Has Not Been Published

Law	Notice of Rule Development Citation	(If agency determined that rulemaking is unnecessary) Explanation of reason why the law may be implemented without rulemaking
N/A		

Other updates to 2017-2018 Annual Regulatory Plan

N/A

Athlete Agents Licensing Unit

2018-2019 Annual Regulatory Plan

Section 1

Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.

Law	Mandatory rulemaking? Yes/No	Is rulemaking necessary? Yes/No	Notice of Development Published? Yes/No If Yes, Citation	Expected publication date for NPRM	If rulemaking is not necessary? Explain
N/A					

Section 2

Laws not listed above that the agency expects to implement by rulemaking by the following July 1.

Law	Is rulemaking intended to:	Simplify	Clarify	Increase efficiency	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or redundant rules
N/A							

Section 3

Updates to 2017-2018 Annual Regulatory Plan

2017-2018 Laws Enacted or Amended within the previous 12 months - NPRM Has Not Been Published

Law	Notice of Rule Development Citation	(If agency determined that rulemaking is unnecessary) Explanation of reason why the law may be implemented without rulemaking
N/A		

Other updates to 2017-2018 Annual Regulatory Plan

N/A

2018-2019 Annual Regulatory Plan

Section 1

Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department

Law	Mandatory rulemaking? Yes/No	Is rulemaking necessary? Yes/No	Notice of Development Published? Yes/No If Yes, Citation	Expected publication date for NPRM	If rulemaking is not necessary? Explain
N/A					

Section 2

Laws not listed above that the agency expects to implement by rulemaking by the following July 1.

Law	Is rulemaking intended to:	Simplify	Clarify	Increase efficiency	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or redundant rules
718.112, F.S.		X	X	X			
718.1255, F.S.		X	X	X			

Section 3

Updates to 2017-2018 Annual Regulatory Plan

2017-2018 Laws Enacted or Amended within the previous 12 months - NPRM Has Not Been Published

Law	Notice of Rule Development Citation	(If agency determined that rulemaking is unnecessary) Explanation of reason why the law may be implemented without rulemaking
N/A		

Other updates to 2017-2018 Annual Regulatory Plan

N/A

**Division of Drugs, Devices, and Cosmetics
2018-2019 Annual Regulatory Plan**

Section 1

Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.

Law	Mandatory rulemaking? Yes/No	Is rulemaking necessary? Yes/No	Notice of Development Published? Yes/No If Yes, Citation	Expected publication date for NPRM	If rulemaking is not necessary? Explain
499.003, F.S.	No	No	N/A	N/A	The amended statutory language provided for certain exemptions from the Division's licensure requirements. Rulemaking by the Division is not necessary to implement.
499.01, F.S.	No	No	N/A	N/A	The amended statutory language provided for certain exemptions from the Division's licensure requirements. Rulemaking by the Division is not necessary to implement.

Section 2

Laws not listed above that the agency expects to implement by rulemaking by the following July 1.

Law	Is rulemaking intended to:	Simplify	Clarify	Increase efficiency	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or redundant rules
499.003(48)(c), F.S.			X				
499.012, F.S.		X	X	X			

Section 3

Updates to 2017-2018 Annual Regulatory Plan

2017-2018 Laws Enacted or Amended within the previous 12 months - NPRM Has Not Been Published

Law	Notice of Rule Development Citation	(If agency determined that rulemaking is unnecessary) Explanation of reason why the law may be implemented without rulemaking
N/A		

Other updates to 2017-2018 Annual Regulatory Plan

N/A

**DBPR Departmental Rules
2018-2019 Annual Regulatory Plan**

Section 1

Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.

Law	Mandatory rulemaking? Yes/No	Is rulemaking necessary? Yes/No	Notice of Development Published? Yes/No If Yes, Citation	Expected publication date for NPRM	If rulemaking is not necessary? Explain
250.483, F.S.	No	No	No	N/A	Establishes and provides for a regulated board under DBPR accept periods of training, study, apprenticeship, or practical experience for U.S. Military and Veterans if same has been interrupted due to active duty. The process for determining compliance with the statute is being established by the respective boards. Rulemaking by the Department is not necessary to implement.
455.02, F.S.	No	No	No	N/A	Establishes and amends s.455.02, F.S. to require members (including spouses and surviving spouses) of US Armed Forces who engage in their profession and are in good standing with their respective regulated boards shall be kept in good standing while on active duty and/or after 2 years from discharge of active duty. Additionally, Any active duty member of US Armed Forces and for a 2 year period after discharge, who engage in their profession in the private sector for profit must comply with all renewal licensure provisions except remitting a licensure renewal fee. The amended statute also provides for a licensure renewal fee waiver for spouses and surviving spouses of active duty members of US Armed Forces who are present in this state due to their spouses' active duty within 2 years preceding the date of renewal. The process for determining compliance with the statute is being established by the respective boards. Rulemaking by the Department is not necessary to implement.

Section 2

Laws not listed above that the agency expects to implement by rulemaking by the following July 1.

Law	Is rulemaking intended to:	Simplify	Clarify	Increase efficiency	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or redundant rules
N/A							

Section 3

Updates to 2017-2018 Annual Regulatory Plan

2017-2018 Laws Enacted or Amended within the previous 12 months - NPRM Has Not Been Published

Law	Notice of Rule Development Citation	(If agency determined that rulemaking is unnecessary) Explanation of reason why the law may be implemented without rulemaking
N/A		

Other updates to 2017-2018 Annual Regulatory Plan

Rulemaking relating to proposed rule 61-35.029, F.A.C., which seeks to promulgate the implementation of certain waivers of fees for licensure to Military and Veterans (including spouses and surviving spouses) as well as for low-income individuals did not proceed any further towards adoption based upon proposed comments by JAPC. Rulemaking was tolled in order for further discussion surrounding the subject matter and issues of whether or not certain materials needed to be incorporated by reference. Discussions with JAPC remain ongoing and rulemaking will proceed further upon conclusion of same.

455.02 and 455.219, F.S.

Farm and Child Labor Licensing Unit

2018-2019 Annual Regulatory Plan

Section 1

Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.

Law	Mandatory rulemaking? Yes/No	Is rulemaking necessary? Yes/No	Notice of Development Published? Yes/No If Yes, Citation	Expected publication date for NPRM	If rulemaking is not necessary? Explain
N/A					

Section 2

Laws not listed above that the agency expects to implement by rulemaking by the following July 1.

Law	Is rulemaking intended to:	Simplify	Clarify	Increase efficiency	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or redundant rules
N/A							

Section 3

Updates to 2017-2018 Annual Regulatory Plan

2017-2018 Laws Enacted or Amended within the previous 12 months - NPRM Has Not Been Published

Law	Notice of Rule Development Citation	(If agency determined that rulemaking is unnecessary) Explanation of reason why the law may be implemented without rulemaking
N/A		

Other updates to 2017-2018 Annual Regulatory Plan

N/A

Florida Building Commission

2018-2019 Annual Regulatory Plan

Section 1

Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.

Law	Mandatory rulemaking? Yes/No	Is rulemaking necessary? Yes/No	Notice of Development Published? Yes/No If Yes, Citation	Expected publication date for NPRM	If rulemaking is not necessary? Explain		
N/A							

Section 2

Laws not listed above that the agency expects to implement by rulemaking by the following July 1.

Law	Is rulemaking intended to:	Simplify	Clarify	Increase efficiency	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or redundant rules
N/A							

Section 3

Updates to 2017-2018 Annual Regulatory Plan

2017-2018 Laws Enacted or Amended within the previous 12 months - NPRM Has Not Been Published

Law	Notice of Rule Development Citation	(If agency determined that rulemaking is unnecessary) Explanation of reason why the law may be implemented without rulemaking
N/A		

Other updates to 2017-2018 Annual Regulatory Plan

In order to begin the triennial update process for the next edition of the Florida Building Code (7th Edition, 2020), a Notice of Development for Rule 61G20-1.001 was published on 5/23/2018, in F.A.R. Vol. 44/101.

Home Inspectors Licensing Unit

2018-2019 Annual Regulatory Plan

Section 1

Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.

Law	Mandatory rulemaking? Yes/No	Is rulemaking necessary? Yes/No	Notice of Development Published? Yes/No If Yes, Citation	Expected publication date for NPRM	If rulemaking is not necessary? Explain
N/A					

Section 2

Laws not listed above that the agency expects to implement by rulemaking by the following July 1.

Law	Is rulemaking intended to:	Simplify	Clarity	Increase efficiency	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or redundant rules
N/A							

Section 3

Updates to 2017-2018 Annual Regulatory Plan

2017-2018 Laws Enacted or Amended within the previous 12 months - NPRM Has Not Been Published

Law	Notice of Rule Development Citation	(If agency determined that rulemaking is unnecessary) Explanation of reason why the law may be implemented without rulemaking
N/A		

Other updates to 2017-2018 Annual Regulatory Plan

N/A

**Division of Hotels and Restaurants
2018-2019 Annual Regulatory Plan**

Section 1

Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.

Law	Mandatory rulemaking? Yes/No	Is rulemaking necessary? Yes/No	Notice of Development Published? Yes/No If Yes, Citation	Expected publication date for NPRM	If rulemaking is not necessary? Explain
N/A					

Section 2

Laws not listed above that the agency expects to implement by rulemaking by the following July 1.

Law	Is rulemaking intended to:	Simplify	Clarify	Increase efficiency	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or redundant rules
399.03(5), F.S. - Supervisor Affidavit for New Elevator Installations		X	X	X			
399.02, F.S. - Inspection Reports		X	X	X			
399.02, F.S. - Requirements for Sump Pumps		X	X	X			

Section 3

Updates to 2017-2018 Annual Regulatory Plan

2017-2018 Laws Enacted or Amended within the previous 12 months - NPRM Has Not Been Published

Law	Notice of Rule Development Citation	(If agency determined that rulemaking is unnecessary) Explanation of reason why the law may be implemented without rulemaking
N/A		

Other updates to 2017-2018 Annual Regulatory Plan

N/A

Labor Organizations Licensing Unit

2018-2019 Annual Regulatory Plan

Section 1

Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.

Law	Mandatory rulemaking? Yes/No	Is rulemaking necessary? Yes/No	Notice of Development Published? Yes/No If Yes, Citation	Expected publication date for NPRM	If rulemaking is not necessary? Explain
N/A					

Section 2

Laws not listed above that the agency expects to implement by rulemaking by the following July 1.

Law	Is rulemaking intended to:	Simplify	Clarify	Increase efficiency	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or redundant rules
N/A							

Section 3

Updates to 2017-2018 Annual Regulatory Plan

2017-2018 Laws Enacted or Amended within the previous 12 months - NPRM Has Not Been Published

Law	Notice of Rule Development Citation	(If agency determined that rulemaking is unnecessary) Explanation of reason why the law may be implemented without rulemaking
N/A		

Other updates to 2017-2018 Annual Regulatory Plan

N/A

Mold-Related Services Licensing Unit

2018-2019 Annual Regulatory Plan

Section 1

Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.

Law	Mandatory rulemaking? Yes/No	Is rulemaking necessary? Yes/No	Notice of Development Published? Yes/No If Yes, Citation	Expected publication date for NPRM	If rulemaking is not necessary? Explain		
N/A							

Section 2

Laws not listed above that the agency expects to implement by rulemaking by the following July 1.

Law	Is rulemaking intended to:	Simplify	Clarity	Increase efficiency	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or redundant rules
N/A							

Section 3

Updates to 2017-2018 Annual Regulatory Plan

2017-2018 Laws Enacted or Amended within the previous 12 months - NPRM Has Not Been Published

Law	Notice of Rule Development Citation	(If agency determined that rulemaking is unnecessary) Explanation of reason why the law may be implemented without rulemaking
N/A		

Other updates to 2017-2018 Annual Regulatory Plan

N/A

Division of Pari-Mutuel Wagering
2018-2019 Annual Regulatory Plan

Section 1

Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.

Law	Mandatory rulemaking? Yes/No	Is rulemaking necessary? Yes/No	Notice of Development Published? Yes/No If Yes, Citation	Expected publication date for NPRM	If rulemaking is not necessary? Explain
N/A					

Section 2

Laws not listed above that the agency expects to implement by rulemaking by the following July 1.

Law	Is rulemaking intended to:	Simplify	Clarify	Increase efficiency	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or redundant rules
550.002, 550.0251, 550.054, 550.09514, 550.1155, 550.105, 550.155, 550.1815, 550.235, 550.2415, 550.2625, 550.3551, 550.3615, 550.495, 550.6305, F.S.		X	X				
120.80, 550.0251, 550.054, 550.1155, 550.2415, F.S.		X	X				
550.0115, 550.01215, 550.0251, 550.054, 550.0951, 550.0155, 550.1815, 550.125, 550.5251, 559.79, F.S.		X	X				
550.0251, 550.105, 559.79, F.S.		X	X				
120.80, 550.0251, 550.1155, 550.235, 550.2415, F.S.		X	X				

550.0251, 550.0425, 550.105, 550.125, 550.155, 550.1645, 550.2633, 550.3551, 550.495, 550.6305, 550.70, F.S.		X	X				
550.0251, 550.0951, 550.09514, 550.125, 550.155, 550.1647, 550.1648, 550.2614, 550.2625, 550.0351, 550.3551, 550.615, 550.625, 550.6305, 550.6335, 550.655, F.S.		X	X				
550.0251, 550.125, 550.155, 550.2625, 550.3551, 550.495, 550.615, 550.625, 550.6305, F.S.		X	X				
120.633, 120.80, 550.01215, 550.0251, 550.0351, 550.054, 550.105, 550.125, 550.155, 550.1815, 550.2415, 550.2625, 550.354, 550.3551, 550.495, 550.615, 550.625, 550.6305, F.S.		X	X				
550.0251, 849.086, F.S.		X	X				
849.086, F.S.		X	X				
550.0251, 551.103, 551.104, 551.1045, 551.105, 551.106, 551.107, 551.108, 551.109, 551.112, 551.113, 551.114, 551.117, 551.118, 551.121, 559.79, 849.15, F.S.		X	X				

Section 3

Updates to 2017-2018 Annual Regulatory Plan

2017-2018 Laws Enacted or Amended within the previous 12 months - NPRM Has Not Been Published

Law	Notice of Rule Development Citation	(If agency determined that rulemaking is unnecessary) Explanation of reason why the law may be implemented without rulemaking
N/A		

Other updates to 2017-2018 Annual Regulatory Plan

N/A

Talent Agencies Licensing Unit

2018-2019 Annual Regulatory Plan

Section 1

LaWS Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Department.

Law	Mandatory rulemaking? Yes/No	Is rulemaking necessary? Yes/No	Notice of Development Published? Yes/No If Yes, Citation	Expected publication date for NPRM	If rulemaking is not necessary? Explain
N/A					

Section 2

LaWS not listed above that the agency expects to implement by rulemaking by the following July 1.

Law	Is rulemaking intended to:	Simplify	Clarity	Increase efficiency	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or redundant rules
N/A							

Section 3

Updates to 2017-2018 Annual Regulatory Plan

2017-2018 LaWS Enacted or Amended within the previous 12 months - NPRM Has Not Been Published

Law	Notice of Rule Development Citation	(If agency determined that rulemaking is unnecessary) Explanation of reason why the law may be implemented without rulemaking
N/A		

Other updates to 2017-2018 Annual Regulatory Plan

N/A

**CERTIFICATION STATEMENT OF BUSINESS AND PROFESSIONAL REGULATION
2018-2019 ANNUAL REGULATORY PLAN**

I hereby certify pursuant to Section 120.74(1)(d), Florida Statutes:

(1) That I have reviewed the Department of Business and Professional Regulation's 2018-2019 Annual Regulatory Plan.

(2) That that the Department of Business and Professional Regulation regularly reviews all of its rules to determine if the rules remain consistent with the Department of Business and Professional Regulation's rulemaking authority and the laws being implemented, with the most recent review having been completed June 30, 2018.



Jonathan Zachem, Secretary



Jason L. Maine, General Counsel